

FILED

AO 91 (Rev. 11/11) Criminal Complaint

M. Marshall

MAR 15 2012

UNITED STATES DISTRICT COURT

for the

Western District of Texas

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DM
DEPUTY CLERKUnited States of America
v.
Joseph Lee Penrod
Marchell Renee Scicutella

Case No.

1:12-m-162

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 1/12/11 - 1/13/11 in the county of Travis in the
Western District of Texas, the defendant(s) violated:

Code Section

18 USC 471
18 USC 472
18 USC 371

Offense Description

Counterfeiting Obligations or Securities of United States
Uttering Counterfeit Obligations or Securities
Conspiracy to Commit Offense or to Defraud United States

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.Garrett Lansberry
Complainant's signature

Special Agent Garrett Lansberry, USSS

Printed name and title

Sworn to before me and signed in my presence.

Date:

March 15, 2012Dennis G. Green
Judge's signature

City and state:

Austin, TXDennis G. Green U.S. Magistrate Judge
Printed name and title

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MAR 15 2012

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

-----)
UNITED STATES OF AMERICA

vs.

CRIMINAL NO. 1:12-m-162

JOSEPH LEE PENROD
MARCHELL RENEE SCICUTELLA
-----)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, GARRETT M. LANSBERRY, Special Agent, United States Secret Service, Austin, Texas,
being duly sworn, depose and state the following:

1. I am a Special Agent of the United States Secret Service and have been so employed for three years. I am currently assigned to the Austin, Texas, Resident Office of the United States Secret Service. In this capacity, I have received extensive training and have experience in conducting investigations related to the production, passing, and dealing of counterfeit currency. I have also received extensive training related to the manufacturing techniques used in the production of genuine United States currency. In addition, my other duties and responsibilities include the investigation of alleged violations of federal criminal laws involving fraud in connection with computers, bank fraud, identification fraud, and access device fraud.

2. I respectfully submit this affidavit in support of a Criminal Complaint against Joseph Lee PENROD and Marchell Renee SCICUTELLA for violations of Title 18, United States Code, Section 471 (Obligations or Securities of United States), Title 18, United States Code, Section 472 (Uttering Counterfeit Obligations or Securities), Title 18 United States Code, Section 371

(Conspiracy to Commit Offense or to Defraud United States).

The Statutes

3. Title 18, United States Code, Section 471 provides that “Whoever, with intent to defraud, falsely makes, forges, counterfeits, or alters any obligation or other security of the United States, shall be fined under this title or imprisoned not more than 20 years, or both.”

4. Title 18, United States Code, Section 472 provides that “Whoever, with intent to defraud, passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or with like intent brings into the United States or keeps in possession or conceals any falsely made, forged, counterfeited, or altered obligation or security of the United States, shall be fined under this title or imprisoned not more than 20 years, or both.”

5. Title 18, United States Code, Section 371 provides that “If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner of for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.”

Facts

1. Marchell Renee SCICUTELLA was previously arrested in the Western District of Texas by the USSS on 2/17/09 and was charged with violating Title 18, United States Code, Section 471 (Obligations or Securities of United States), and Title 18 United States Code, Section 371 (Conspiracy to Commit Offense or to Defraud United States). Marchell Renee SCICUTELLA was convicted and sentenced to twenty months of incarceration and three years of supervised release. Marchell Renee SCICUTELLA’s incarceration ended on 8/6/10 and she reported to U.S. Probation and Parole from 8/10 to 10/10. Marchell Renee SCICUTELLA absconded in 11/10 and was arrested

on 5/15/11 for the violation of the supervised release.

2. The counterfeit notes obtained during the USSS case referenced above were two counterfeit currency images printed on separate sheets of paper with hand drawn security threads and watermarks added onto the back of one image. The images were glued together to complete the counterfeit notes.

3. On or about 1/12/11, the Austin Police Department responded to a call for service at the Oranewood Suites Hotel, 935 La Posada Drive, Austin, Texas 78752, regarding an attempted pass of a counterfeit note. A hotel staff member received the note from Joseph Lee PENROD as part of payment for renting room # 214. The staff member suspected the note to be counterfeit, returned the note to Joseph Lee PENROD, and contacted the Austin Police Department. An Austin Police Officer interviewed Joseph Lee PENROD regarding the attempted pass, and Joseph Lee PENROD admitted to attempting to pass the counterfeit note for rental payment. During the interview, the Austin Police Officer suspected that another person was inside of the hotel room, and Joseph Lee PENROD informed the officer that his pregnant ^{GW DGG} ~~was~~ girlfriend was inside. The female was not identified during the interview.

4. On or about 1/13/11, the Austin Police Department received another call for service at the Oranewood Suites Hotel room # 214. The call for service was for counterfeit manufacturing instruments that were discovered by the hotel cleaning staff while they were preparing the room. Joseph Lee PENROD was identified as that person who rented the room in which the counterfeit manufacturing items were discovered. All items related to the manufacture of counterfeit notes were seized and placed into evidence.

5. On 2/2/11, I was notified about the calls for service regarding the counterfeiting operation, and I reviewed the evidence obtained from the hotel room that was rented by Joseph Lee

PENROD. The evidence included confirmed counterfeit notes which are a combination of incomplete and completed notes totaling \$12,434.00. Completed counterfeit notes are two images glued together that were originally printed on separate pieces of paper and they contain hand drawn security threads and watermarks. The counterfeit notes obtained in the hotel room are consistent with the notes obtained in the previous USSS case against Marchell Renee SCICUTELLA. The manufacturing equipment in evidence included an all-in-one printer, counterfeit detection pens, various documents containing counterfeiting instructions, multiple sketches and tracings of simulated security features that are found in genuine currency, as well as many other tools used to counterfeit and simulate genuine currency.

6. Continuing on this date, in addition to the above referenced evidence, I discovered a letter from an inmate in Fort Worth, Texas postmarked 1/3/11 that was addressed to 'Marchele Scicutella, 219 San Felipe Drive, Kyle, TX 78640.' A search of the Austin Police Department's Versadex database regarding this information revealed a previous involvement with Marchell Renee SCICUTELLA with the above listed address.

7. Continuing on this date, U.S. Probation and Parole advised that Joseph Lee PENROD and Marchell Renee SCICUTELLA previously resided at the federal supervised release residence located at 1915 E Martin Luther King, Jr. Blvd, Austin, Texas 78702, during the same time period. U.S. Probation and Parole also confirmed that Marchell Renee SCICUTELLA was pregnant.

8. On 2/22/11, I interviewed Orangewood Suites Hotel staff members regarding the counterfeiting operation. A photo lineup was shown to a hotel staff member who had observed Joseph Lee PENROD with a female subject at the hotel during the time period that the counterfeit notes were made, and Marchell Renee SCICUTELLA was positively identified as the female subject.

9. On 1/12/12, the USSS Forensic Services Division conducted a latent print examination on samples of counterfeit note evidence that was obtained from the hotel room occupied by PENROD and SCICUTELLA. The results of this examination show positive matches to the fingerprints of PENROD and SCICUTELLA.

10. On 2/22/12, I conducted a query of USSS database records related to the above described counterfeit notes. This query resulted in the discovery of two counterfeit notes bearing the same serial numbers matching those seized from Orangewood Suites Hotel room # 214 that were passed on or about 2/4/11 and 3/9/11. I examined the counterfeit note that was passed on 2/4/11 at Wal-Mart, 1030 Norwood Park Road, Austin, Texas 78753, and determined that it contained a hand drawn security thread and watermark similar to the counterfeit note evidence obtained in both cases.


11. Based on the forgoing facts, there is probable cause to believe that Joseph Lee PENROD and Marchell Renee SCICUTELLA did knowingly and with intent to defraud, falsely made, forged, counterfeited, or altered any obligation or other security of the United States, in violation of Title 18, United States Code, Section 471.

12. Based on the forgoing facts, there is probable cause to believe that Joseph Lee PENROD and Marchell Renee SCICUTELLA did knowingly and with intent to defraud pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or with like intent brought into the United States or kept in possession or concealed a falsely made, forged, counterfeited, or altered obligation or security of the United States, in violation of Title 18, United States Code, Section 472.

13. Based on the forgoing facts, there is probable cause to believe that Joseph Lee PENROD and Marchell Renee SCICUTELLA did conspire together to commit an offense against the United States, to wit, counterfeit obligations or securities of the United States, in

violation of Title 18, United States Code, Section 371.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.


GARRETT M. LANSBERRY
SPECIAL AGENT
UNITED STATES SECRET SERVICE

Subscribed and sworn to before me at Austin, Texas, on this 15th day of March, 2012.


UNITED STATES MAGISTRATE JUDGE